

May 6, 2005

BY HAND

Jay Johnson
Docket Clerk to Honorable Rya W. Zobel
United States District Court
District of Massachusetts
United States Courthouse
1 Courthouse Way
Boston, MA 02210

*Re: Jeffrey Fink v. Sun Life Insurance & Annuity Co. of New York, et. al.
Civil Action No. 05-10001RWZ*

Dear Mr. Johnson:

I am writing with respect to the service of Defendant Proskauer Rose LLP Long Term Disability Plan ("Plan") in the above-referenced matter. The Plan was served on April 28, 2005. On May 2, 2005, Raul Valentin of AAA Attorney Service Company of New York, Inc. ("AAA"), placed a copy of the sworn affidavit attesting to service of the complaint in the mail to our firm. An original copy of the affidavit has not yet been received by our office. However, AAA faxed a copy of the return of service form to our office today. I have enclosed a copy of the form with this letter. I will file an original copy of the sworn affidavit with the Court immediately upon receipt.

Thank you. Please do not hesitate to call if you have any questions.

Sincerely,

/s/ Mala M. Rafik

Mala M. Rafik

Enclosures

cc: Jeffrey Fink
Joan Vorster, Esq.
Myron D. Rumeld, Esq.

UNITED STATES DISTRICT COURT - MASSACHUSETT COUNTY

JEFFREY FINK,

PLAINTIFF

- vs. -

SUN LIFE INSURANCE AND ANNUITY COMPANY
OF NEW YORK
ET AL,

DEFENDANT

Index No: 05-10001RWZ
Date Filed: / /
Office No:
Court Date:

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

RAUL VALENTIN being duly sworn, deposes and says;

I am over the age of 18 years, not a party to this action, and reside in the State of New York.

That on 04/28/2005 at 2:30PM at 1585 BROADWAY , NEW YORK, NY 10036, I served a true copy of the COMPLAINT, FIRST AMENDED COMPLAINT, MOTION TO AMEND COMPLAINT AND SUMMONS upon PROSKAUER ROSE LLP the DEFENDANT therein named by delivering to, and leaving personally with KEN BIGLIANI, AUTHORIZED TO ACCEPT, a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

SEX: MALE

COLOR: WHITE

HAIR: BLACK

APP. AGE: 60

APP. HT: 5'10

APP. WT: 200

OTHER IDENTIFYING FEATURES:

Sworn to before me on 05/02/2005.

HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667012
Qualified in BRONX
Commission Expires 12/31/2006

RAUL VALENTIN - 1186289
AAA ATTORNEY SERVICE CO. OF NY, INC.
20 VESEY ST., ROOM 1110
NEW YORK, NY 10007
MP